MGN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2250 of 2005
WITH
INCOME TAX APPEAL LODGING NO.1041 OF 2005

The Commissioner of Income-tax
Mumbai ..Appellant

Vs.

M/s. Ruby Mills Ltd.....Respondent

Mr. P.S.Sahadevan,for the Appellant.
Mr. Rajesh Shah, for the Respondent

CORAM: F.I. REBELLO &
J.P.DEVADHAR,JJ.
DATED: 4TH SEPTEMEBR, 2007

P.C.

. There is a delay of 248 days. The tax incidence is less than Rs.4.00 lakhs. Considering the C.B.D.T. Circular in our opinion the Appeal as filed has to be withdraw. Considering the above Appeal along with Notice of Motion dismissed as withdrawn. Refund of Court Fees as per Rules. Certified copy expedited.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)